

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

TIMOTHY A. CARUSO,

Defendant.

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8:20CR02

ORDER

This matter is before the court on the Unopposed Motion to Continue Trial [45]. Counsel has been unable to communicate with the defendant, and therefore, has not been able to effectively prepare for trial. For good cause shown,

IT IS ORDERED that the Motion to Continue Trial [45] is granted in part and denied in part, as follows:

1. The jury trial now set for March 8, 2021, is continued to **May 24, 2021**.
2. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and May 24, 2021**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).
3. The remainder of the defendant's motion is denied without prejudice.

DATED: March 1, 2021.

BY THE COURT:

s/ Susan M. Bazis
United States Magistrate Judge